Development (1929) Department.

Mis SERIES.

G.O. No. 843
843

DATED 13/5/29
13/5/29

[Despatch Abstract.]

Fisheries -- ~~INLAND~~ Inland -- Kamalapuram tank -- Bellary District
Arrears of 1927-28 -- write off -- sanctioned.

C. No. [illegible] DW Department

List of records put up.

Number.	Date.	Department.	Signature of Clerk putting up the paper.	Signature of Clerk removing the paper.
784	26/5/15	DW		

Office of the Board of Revenue, Land Revenue and Sett.

Endorsement No. F.464/29 dated the 18th January 192

The Hon'ble Mr. H.L.Braidwood, I.C.S.,
Commr. of Land Revenue and Settlement.

Read the following:--

Again G.O.No. 784 Press Development, dated 26th May 1925.

Letter from the Collector of Bellary, Ref.B2 No.3261/28 dated the 20th December 1928:---

The privilege of fishing in Kamalapuram tank, Hospet taluk, was sold to one Jothi Komarappa for an annual rental of Rs. 510/- for a lease of 3 years (1925-26 to 1927-28). He paid up the rentals for the first two years of the lease but fell in arrears as regards the rental for 1927-28. Hence a resale was ordered in consultation with the Director of Fisheries for the unexpired period of the lease. In the resale the amount of the bid fetched was only Rs. 230. A balance of Rs. 280 is still due to be recovered from the original bidder (Komarappa).

2. The defaulter (Komarappa) has excuted an agreement in respect of the contract on 9th March 1926 binding himself to pay up the rentals regularly. But prior to the date on which the third year's rental fell due, all the properties of the defaulter comprising his houses and lands had been mortgaged to some merchants at Hospet. The Tahsildar and the Sub Collector Hospet report that the properties have been encumbered for more than their estimated value. A thoroguh enquiry was made about the genuineness of the prior encumbrances and it is reported that it is not worthwhile proceeding against these properties for the Government dues. I therefore request that the Board may be pleased to write off Rs.280/- being the irrecoverable balance of arrears of the fishery in question.

3

(J)

As per G.O.No.1686 Revenue, dated 22nd July 1916 this fishery is under the control of the Fisheries department and its sale proceeds are to be credited to Provincial revenues and the Bellary district Board has to receive a fixed annual assignment of Rs.500/- as compensation for the loss of fishery rentals.

Endorsement thereon by the Director of Fisheries, No.D.Dis. 25-I/29 dated 14-1-1929.

Endorsement:--

Fisheries - Rental - Bellary district - Hospet taluk - Kamalapuram tank - arrears of 1927-28 - Write off.

- -

As the amount of the arrears in question is due to a department not under its control, the Board is not competent to write it off. The Director is requested to address Government in the matter.

Sd/- A.A.Venkatrama Ayyar,
Asstt. Secretary.

To

The Director of Fisheries.

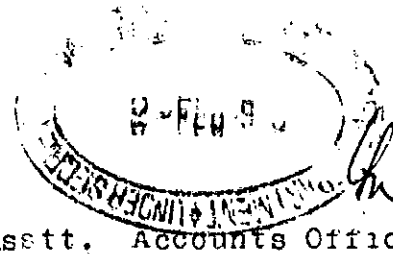
4

No.Agri.I.4-720. OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS,

Fort St. George, 31st January *192* 9

D423-II
2.2.29.

Enclosures. Forwarded.



Asstt. Accounts Officer.

KJ

To

The Secretary to the Government of Madras,

Development Department.

5

Dev. Dept.

18/14

pp 2-3 C.F.

O.M. No 423 II-29-1 & 14-2-29

Ref. letter from the Collector of Bellary to the Board of Rev. & Ag. Rt Ref. B-2 No 3261/28 dt 20-12-28 Fisheries – Kamalapuram tank, Bellary district – Resale – Loss – Write off.

The Col

Furnish for reference a copy published in connection of the notice of the sale of the fisheries for the three years ending 1927-28 and the agreement executed by Jothi Komarappa. He is also requested to report whether at the time of the confirmation of the sale of fisheries in Jothi Komarappa the usual advance rental was taken from him, deposit being adjusted against last year's rentals and if not why not (and if not why

To The Collr of Bellary

Dept 14/2

Asst 13.2.29

dk 14.2.

Rem. on 25-3-29

In reply, please quote number, date and short title.*

Retenue DEPARTMENT

Received 6 MAY 29 Registered

Dw 1457/ 6.5.29

From (Name) E.Bennett Esquire, I.C.S.,

(Designation) Collector of Bellary,

Post Box....., (Station) Bellary.

Telegraphic Address.....

To The Secretary to Government,
(Devolopment Department),
M A D R A S.

Ref. C *No.*1454/29B2 *dated*4th May 1929.

Sir,

* Fisheries-Kamalapuram tank-Hospet taluk-Resale-Loss-write off-further report submitted.

Government Memorandum No. 423-II /29-1 dated 14

Enclosures 2

Spare Copies

pp8-13 mfpr

A printed copy of the Fisheries Sale notif dated 5.7.1925 and the agreement executed by the origi lessee Jothi-Komarappa are submitted herewith.

2. As the sale notification did not contai

7

any stipulation for the collection of one year's rental in advance no such advance collection was made at the time of the confirmatio of the sale. One years rental was however collected before 31.12. according to the terms of the sale Notification. The second year' rental was also similarly collected. But the default was made in regard to the 3rd year's rental.

RRS.4.5.29.

For Collector.

C.R. 4/5 4-5-29

Scott. II-5(y)—48,004—6-11-26 (6)

23/13.5

Dev DEPARTMENT

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Fisheries

~~Tank~~ Inland - Kamalapuram tank in Bellary dt - arrear of 1927-28 - write off - Sanc

READ AGAIN G.O. No. 1686 (5), dated 22-7- 1926

" " " " 784 (V) 26-5- 1925

READ ALSO:—

C. No. 422/II/29 From the DF Ref. No. 2247/29-1 dated 26-1-1929

" " AG Agri 1-4-7208 31-1-1929

" " " " " 192

ORDER.

No. 843, dated 13-11-27

The Govt. Sanction the write off of a sum of Rs. 280 (Two hundred and eighty only) being the irrecoverable balance remits Dept of arrears of the fishery of the Kamalapuram tank, Hospet Taluk leased to ~~one~~ Jothi Komarappa. ~~Govt. AG~~

~~Read Govt. 26-6-26~~

RC 11.5

Dpd. by Van / Post / Messenger

14/11/27 1927

D.F.

A.G.

Collr. Bellary.

(with records)

6/12

... of the Sale Notice is not
in the T.L. It is usual to get
... adequate security in the case of three years' leases.
If this has been obtained, from
how much should have been.
Report to the Collector.

RL
7.2.

A.S

G.O. No 1240 Dev & 13.8.27 (1)
Containing draft notice of sale
is put up. As the facts in
question were raised in 1925
it does not appear that the rule
in the draft Sale notice in the above
G.O will be applicable to this
case. ~~Forwarded~~

The Collector may be asked
whether a deposit of one year's
rental was obtained. As directed
a draft O.M. is submitted for
approval.

RL
14.2

JM
3.2.27.

I was aware of this: though the presumption of market value is correct, the practice of issuing a notice calling for offers or bids is ancient.

RL
14.2.

DC

~~To the~~

p5 CF (Issued as ann No 423 II-29-18
14.2.29)

p6-7 CF (From the Collr, Bellary 1454/29-B2
dt 4.5.29)

N.S

Please see the Collector's
letter at page 6 and ref. the
circumstances explained
p6-7 CF in para 2 of his letter it is
submitted for orders whether
the draft order already put
up may issue

The loss has been occasioned
5/5 by the carelessness in the drafting of
the terms of the Notice of Sale. Even before
model forms were prescribed, the notice of sale
issued by some Collectors used to contain
a clause ~~that~~ requiring deposit by
successful bidders of one year's rental in
advance to be credited to the last year's
kist - vide last sentence in Standard clause (3) of Sale Notice
para 2 of G.O. No. 786 dt 26.5.1925.

There is however nothing to bar the
acceptance omitting 1/4 of the amount of Rs 280

RK
11.5.
AJ. 13.5.